

Section 5.1 Dimensional Requirements

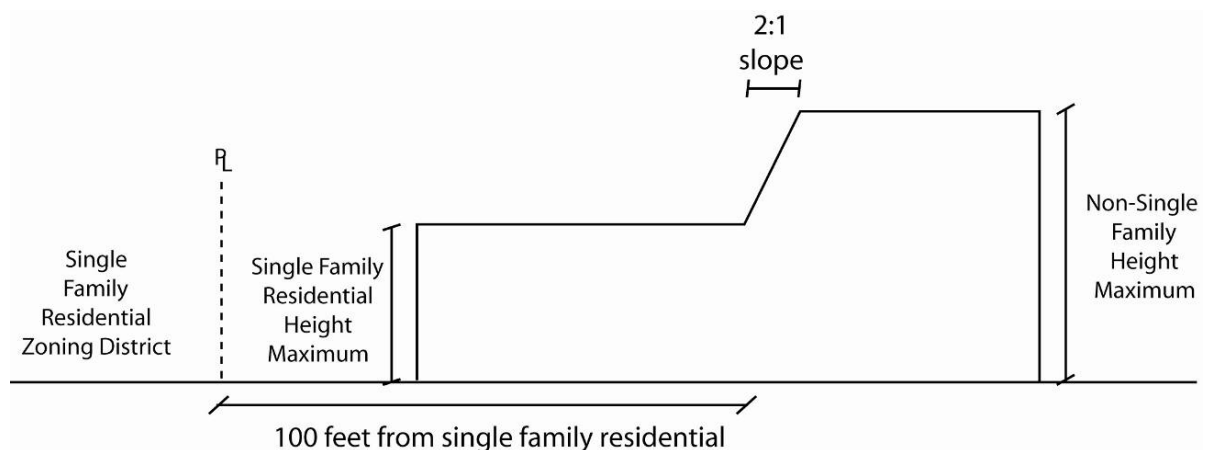
A. Intent

In order to maintain view corridor and solar access for residential properties, this section establishes height limits on adjacent nonresidential zoning districts.

B. Height Regulations

1. **Generally.** Except as otherwise provided by this section or any other provisions of this code, all structures shall be limited to the maximum height identified in the underlying (or applicable overlay) zoning district as identified in Chapter 3 (Zoning District Regulations) and Chapter 4 (Standards Related to Specific Uses).
2. **Height compatibility with single-family development.** Whenever a structure is proposed on a lot that is adjacent to a single-family residential zone, the proposed structure shall maintain the same maximum height allowed in the adjacent single-family residential zone within one hundred (100) feet of the shared property line. From that point measured one hundred (100) feet from the shared line, the maximum height of the proposed structure may increase to the maximum allowed by its underlying zoning at a two-to-one (2:1) ratio (see Figure 5.1-1 Height Compatibility with Single-Family Development). In the instance where the zones are separated by a public right-of-way, this rule shall still apply and the one hundred (100)-foot distance measurement shall begin from the property line of the residential zone adjacent to the right-of-way.

Figure 5.1-1: Height Compatibility with Single-Family Development

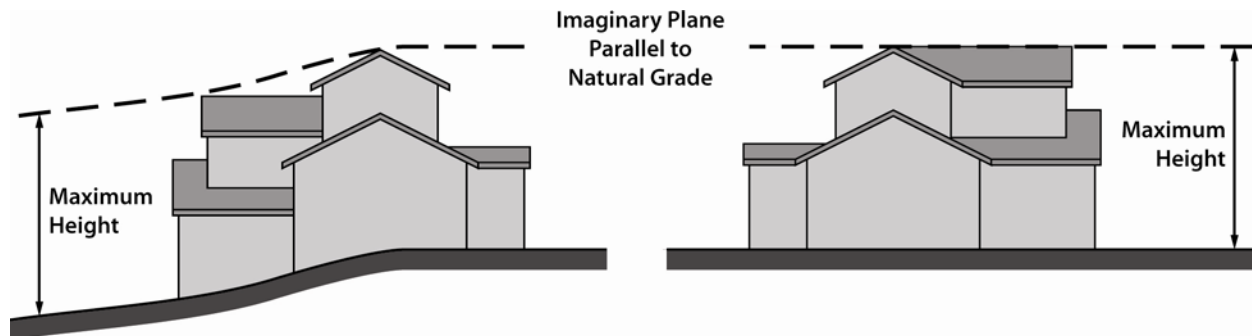


3. **Height limits in aircraft approach zones.** Must comply with Federal Aviation Administration (FAA) regulations. In reviewing any permit application, the Planning Director and his or her designee shall determine: (1) the distance to the nearest point of the runway at the Chino Airport, (2) elevation of the runway at that point, and (3) the elevation at mean seal level at the top point of the proposed structure. If (3) exceeds (2) by more than $[(1) \times 0.01]$, and (1) does not exceed 20,000 feet, the applicant shall be required to file with the Federal Aviation Administration, and the permit shall not be issued until the Federal Aviation Administration has issued a "Determination of No Hazard to Air Navigation".

C. Height Measurement

The height of a structure shall be measured as the vertical distance from the finish grade of the site to an imaginary plane located within the allowed number of feet above and parallel to the grade (see Figure 5.1-2 Measurement of Height).

Figure 5.1-2 Measurement of Height



D. Height Exceptions

Public or semipublic buildings in the R-1 and R-2 Zones may be erected to a height not exceeding four (4) stories or sixty (60) feet when the required yards are increased by an additional two (2) feet for each foot by which the height exceeds thirty-five (35) feet.

Structures necessary for the maintenance and operation of a building and flagpoles, wireless masts, chimneys or similar structures may exceed the prescribed height limits where such structures do not provide additional floor space.

Exceptions to the height regulations are as follows:

1. **General height exceptions.** Towers, penthouses, and other roof structures for the purpose of shelter for mechanical equipment, cupolas, water tanks, church steeples, carillon towers, radio television antennas, and similar structures and necessary mechanical appurtenances may be erected on a building, or on the ground, to a height greater than the limit otherwise established within the underlying zone, or for that use, provided that no such exception shall cover at any level more than 15 percent of the area of the lot nor have an area at the base greater than one thousand six hundred (1,600) square feet (see Section 4.14 Wireless Communication Facilities). All construction is subject to approval of building inspection. Signs may not be placed on such structures at any height exceeding the height of an otherwise permitted building. Fences or walls may be required and conditioned to exceed six (6) feet in height for a project, as determined by the approving authority hearing related planning matters on the same parcel of land.
2. **Height exceptions for residential zones.** As part of Minor and Major Development Review, the designated approving authority may allow apartment houses, schools, churches, public buildings, and other similar buildings to be erected to a height not to exceed seventy-five (75) feet, provided that the required yards are increased one (1) foot for each one (1) foot of height increase of said building. Please refer to Sections 2.3 and 2.4 of this code for additional information.

3. **Mixed-use, automotive, and industrial zones.** As part of Development Review, the designated approving authority may permit the maximum height for buildings in the Commercial and Industrial Zones to be increased to a maximum of one hundred fifty (150) feet, provided that all portions of the building exceeding the underlying height maximum are set back from the ultimate right-of-way line of all abutting streets and freeways a distance of at least equal to the height of that portion of the building.
4. **Hazards to Air Navigation.** Notwithstanding the above, no building or structure may be permitted at a height or elevation determined to be a hazard to air navigation.

Section 5.2 Yard Measurements

A. Yard and Setback Regulations

1. **Required yard area.** Except as otherwise specified in this Zoning Code, required yard areas shall be kept free of buildings and structures. Building overhangs, bay windows, and other such elements may intrude as permitted (see Figure 5.2-1 Lot and Yard Types).
2. **Lots abutting two or more streets.** In the case of a lot abutting two or more streets, the main buildings and accessory buildings shall be erected so as not to encroach upon the required yards of any of the streets (see Figure 5.2-1 Lot and Yard Types).
3. **Through lots.** Where a through lot has a depth of 125 feet or more, said lot may be treated as two lots, with the rear line of each approximately equidistant from the front lot lines, provided all the yard requirements are met (see Figure 5.2-1 Lot and Yard Types).
4. **Lot area, depth, width, and setback reduction.** Where a lot area or a lot width, depth, or setback has been reduced for an existing legally created lot by not more than 15 percent as a result of acquisition or dedication for a highway, road, drain, or other public purpose or as a result of dedication pursuant to a condition of approval, the lot area or yard so reduced may be included in determining compliance with lot area or yard requirements in the same manner as if the acquisition or dedication has not taken place.
5. **Setback measurement.** The setback of all buildings and structures shall be determined by the exterior boundaries of the streets and highways and their proposed widening and extensions as indicated on the Circulation Plan Roadway System and Sizing Map of the City's General Plan. The width of any street or highway which does not appear in the Circulation Plan shall be determined from the standards for street widths and improvements set forth in the City's Development Standards.

See Chapter 3, Sections 3.2 and 3.3 for more detailed yard and setback requirements and refer to Chapter 6 for definitions and illustrations of lot types.

B. Yard Encroachments

Where yards are required by this code, they shall be open and unobstructed from the ground to the sky and kept free of all structural encroachments, except as follows:

1. Outside stairways or landing places, if unroofed and unenclosed, may extend into a required side yard for a distance not to exceed three (3) feet and/or into the required rear yard a distance not to exceed (5) five feet.
2. Cornices, canopies, and other similar architectural features not providing additional floor space within the building may extend into a required yard a distance not to exceed one (1) foot. Eaves may extend three (3) feet into a required yard. One pergola or one covered but unenclosed passenger landing may extend into either side yard provided it does not reduce the side yard below five (5) feet and its depth does not exceed twenty (20) feet.
3. Detached accessory structures as identified in Section 5.12 Accessory Structures.
4. Window bays, including roof overhangs, having a minimum surface area of 50 percent glass, may encroach twenty-four (24) inches into the required yard area when the finished floor of the window bay is at least fifteen (15) inches above the finished floor of the room.

5. Fire escapes, outside stairways, balconies, and water heater enclosures projecting into a yard, court, or place not more than thirty-six (36) inches and the ordinary projections of chimneys and flues may be permitted by the Building Official where the same are so placed as not to obstruct the light and ventilation of the subject property.